

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF APPRENTICESHIP STANDARDS
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ADDRESS REPLY TO:
Div. of Apprenticeship Standards
P. O. Box 420603
San Francisco, CA 94142-0603

October 31, 2003

Mr. Jeff Armstrong, Director of Apprenticeship
Northern California Laborers JATC
1001 Westside Drive
San Ramon, CA 94583

Dear Mr. Armstrong:

Your request for an exemption from the one hour of apprentice employment for each five hours of journey level labor performed on Public Work projects, relative to Labor Code Section 1777.5, has been reviewed by the Division. Your standards, approved in October 1995, call for the man-to-man type ratio, mirroring the Collective Bargaining Agreement. Your Program did a review and has determined that the hourly apprenticeship ratio is not feasible for your program.

The Northern California Laborers Joint Apprenticeship Training Committee request an exemption because of a perceived lack of feasibility is based on the following:

There are dozens of employers of construction craft laborers who, because of the size of their operations, are able to utilize one or two laborers. An example of this type of employer is an electrical contractor who uses a laborer to demolish sidewalks when working on streetlights or traffic signals. Requiring such an employer to meet the ratio of hours would cause it to violate the JAC Standards, which state:

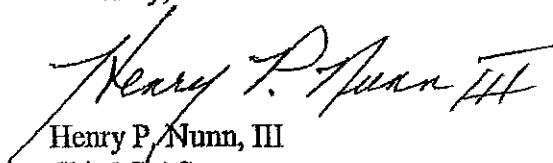
- 1) Apprentices work under the supervision of qualified journeymen;
- 2) Apprentices are trained in the use of new equipment, materials and processes as they come into the craft.

You state the fact that strict adherence to the hour ratio requirement precludes the use of registered apprentices by these small contractors, claiming that the 1-5 hour ratio can create situations where apprentices will not be able to be properly trained or supervised on the job.

Upon request, Labor Code Section 1777.5 authorizes the Division of Apprenticeship Standards (DAS) to order a minimum ratio of not less than one apprentice for five journeyman where the hourly ratio is not feasible for a particular occupation.

Therefore, based on the authority vested in the DAS by Labor Code Section 1777.5, the Northern California Laborers Joint Apprenticeship Training Committee is granted an exemption from the one to five hourly apprentice ratio on Public Works projects and is ordered to utilize a minimum ratio of not less than one apprentice for five journeyman in the construction craft laborer classification. This exemption will remain in effect until revoked.

Sincerely,

A handwritten signature in cursive script that reads "Henry P. Nunn III". The signature is written in dark ink and is positioned above the printed name.

Henry P. Nunn, III
Chief, DAS

Effective Date: October 31, 2003